

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeff McIntyre on 8/12/10.

The application has been amended as follows:

Claim <sup>74</sup> 74, line 2, before " composition", **insert----** liquid lip composition or liquid foundation----, line 2 after first occurrence of " to", **delete** " a keratin material" and **insert----** lip or skin----, after " the " **delete** " keratin material" and **insert----** lip or skin----, line 3, after "resistant", **insert----** lip composition or liquid foundation ----.

**Cancel** claims 146-148 and 152-153.

The following is an examiner's statement of reasons for allowance: the combination of U. S. Patent 5,837,223 and WO 03/013,447 do not teach or fairly suggest liquid lip composition or liquid foundation composition comprising silicone polyamide copolymer and a silicone resin film forming agent and a coloring agent.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."